

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TRANS-SPEC TRUCK SERVICE, INC.
d/b/a TRUCK SERVICE,

Plaintiff

vs.

CATERPILLAR INC.

Defendant

CIVIL ACTION NO. 04-11836-RCL

JOINT MOTION TO ENLARGE THE TIME FOR FILING JOINT STATEMENT
WITH RESPECT TO DISCOVERY DISPUTES

The plaintiff Trans-Spec Truck Service, Inc. and the defendant Caterpillar Inc. jointly request pursuant to Fed. R. Civ. P. 6(b)(1) that the Court enlarge to Monday, May 16, 2005, the time in which the parties may file the Joint Statement with respect to discovery issues which the Court directed them during the April 27, 2005, telephonic hearing in this case to file ten days after that date.

In support of their request, the parties state that their counsel have met and conferred at length in an effort to resolve or narrow the scope of their discovery disputes and to prepare the Joint Statement. Counsel have resolved the parties' disputes with respect to a substantial majority of the items that were in dispute and hope they may be able to resolve, or at least narrow, the disputes with respect to some remaining items. As to the remaining items, however, counsel need to consult in some depth with their clients to explore the extent, if any, to which compromise of the disputes is feasible and appropriate. The needed consultations are of a type likely to require a few days to accomplish. The parties believe the intent of the Court's April 27

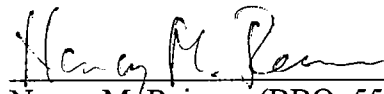
order directing them to confer further about their disputes and thereafter to submit a Joint Statement will be furthered by allowing the modest additional time (one week) that they need to narrow their differences as much as possible, and they believe the substantial progress already made as a result of the Court's action during the April 27 hearing indicates there is a reasonable likelihood that allowing the requested additional time may prove worthwhile.

WHEREFORE, the parties jointly ask the Court extend to May 16, 2005, the time in which they may file the Joint Statement with respect to discovery issues that the Court has directed them to file.

TRANS-SPEC TRUCK SERVICE, INC.,
d/b/a Truck Service,

By its attorneys,

DONOVAN HATEM, LLP

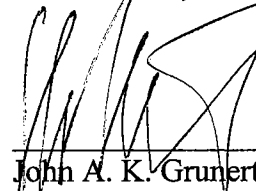


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CATERPILLAR INC.,

By its attorneys,

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